



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/731,994	12/07/2000	Yasumasa Kodama	450100-02879	1585
20999	7590	08/24/2006	EXAMINER	
FROMMER LAWRENCE & HAUG 745 FIFTH AVENUE- 10TH FL. NEW YORK, NY 10151			BOCCIO, VINCENT F	
			ART UNIT	PAPER NUMBER
			2621	

DATE MAILED: 08/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/731,994	Applicant(s) KODAMA, YASUMASA	
	Examiner Vincent F. Boccio	Art Unit 2621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Amendment and RCE of 7/24/06.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Art Unit: 2621

DETAILED ACTION

The Group and/or Art Unit location of your application in the PTO has changed. To aid in correlating any papers for this application, all further correspondence regarding this application should be directed to Group Art Unit 2621.

Response to Arguments

1. Applicant's arguments with respect to amended claims 1-10 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
2. Claims 1-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Ng et al. (US 5,278,838) in view of Baba et al. (US 5,758,057) and further in view of DeKoning et al. (US 5,778,426).

Ng discloses and meets the limitations associated with a system and method being an ERROR Correcting RAID SYSTEM (see Raid 4 or 5, see previous actions, w/Ng).

The examiner incorporates by reference the previous detailed actions against the claims, the combination of Ng and Baba.

Regarding claims 1 and 6 as amended the combination as applied fails to address and also fails to disclose:

Art Unit: 2621

- a) wherein the Raids of Ng are Hard Disk drives; and
- b) wherein each Raid has a LAN interface.

DeKoning et al. teaches in Fig. 1 a RAID (100), utilizing an interface bus (154), which can be any of a LAN, being either Ethernet (LAN), Token Ring (LAN), etc. col. 5, lines 22-28, as taught by DeKoning.

The examiner takes official notice that utilization of Hard Disk drives in Raid systems are obvious viable alternative storage devices, as is well known in the art.

Therefore, it would have been obvious too those skilled in the art at the time of the invention to modify the combination by utilizing Hard Disk drives and to utilize some form of LAN interface standard such as either Ethernet or Token Ring or other LAN interface standards, as taught by DeKoning and (O.N.), in view of being obvious viable alternative interfaces and storage devices, deemed to be well known and obvious alternatives, as known to those skilled in the art.

Regarding claims 3-5 and 8-10, the combination as applied fails to disclose wherein the transmission line, being a LAN, is Ethernet, fibre Channel or IEEE 1394.

The examiner takes official notice that all three types of interfaces between devices as claimed, Ethernet, fibre {FIBER OPTIC} and 1394, are all deemed well known interfaces, being available and viable and therefore, it would have been obvious to those skilled in the art at the time of the invention, to utilize any one of the Ethernet, 1394 or fibre, as the recited transmission line, as claimed, in view of being known and viable standards considered to be an obvious optional to choose from and utilize, as is obvious to those skilled in the art.

Contact Fax Information

Any response to this action should be faxed to:

(571) 273-8300, for communication as intended for entry,
this Central Fax Number as of 7/15/05

Art Unit: 2621

Contact Information

Any inquiry concerning this communication or earlier communications should be directed to the examiner of record, Monday-Tuesday & Thursday-Friday, 8:00 AM to 5:00 PM Vincent F. Boccio (571) 272-7373.

Primary Examiner, Boccio, Vincent
8/17/06


VINCENT BOCCIO
PRIMARY EXAMINER